

REMARKS

In the Official Action mailed 07 May 2007, the Examiner reviewed claims 45-53, 55 and 58-82. The Examiner has objected to claims 58, 67 and 75 for informalities; has rejected claims 58, 67 and 75 under 35 U.S.C. §112, first paragraph; has rejected claims 45, 67 and 75 under 35 U.S.C. §112, second paragraph; and has rejected claims 46-53, 55, 59-66, 68-74 and 76-82 because of their dependency from a rejected base claim.

Applicant has amended claims 45, 58, 67 and 75. Claims 45-53, 55 and 58-82 remain pending.

The objections and rejections set forth in the Official Action are respectfully traversed below and reconsideration is requested.

Objection to Claims 58, 67 and 75 for Informalities

The Examiner has objected to claim 58, 67 and 75 because they need a colon after "the steps of." Applicant has amended these claims herein as suggested by the Examiner.

The Examiner has objected to claim 67, line 33, because the word "an" is missing before the word "actual." Applicant has amended the claim herein as suggested by the Examiner.

The Examiner has objected to Claim 75, line 32 for the same reason. Applicant has amended the claim herein as suggested by the Examiner.

The Examiner has objected to claim 75 because at line 27 "the transaction signature" should be -- a transaction signature-- . It is respectfully submitted that the antecedent basis for "the transaction signature" is found at line 22 of claim 75. Therefore, the claim has not been changed in this regard. Reconsideration of this objection is respectfully requested.

The Examiner has objected to claim 58, line 54, because the word "the" should precede the word "respective." Applicant has amended the claim herein as suggested by the Examiner.

The Examiner has objected to claim 75 for the same reason on line 53. Applicant has amended the claim herein as suggested by the Examiner.

Rejection of Claims 58, 67 and 75 under 35 U.S.C. §112, first paragraph

The Examiner has rejected claims 58, 67 and 75 under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. In particular, the Examiner has found the use of the term "factor" in the claims to be unclear and not supported by the specification as filed. Applicant amends the claims as shown above to substitute the term -- parameter -- for the

term “factor.” See paragraphs [0060] and [0061] on pages 17 and 18 of the substitute specification, where examples of the parameters recited in the claims are described as “parameters.”

Accordingly, reconsideration of the rejection of claims 58, 67 and 75 as amended is respectfully requested.

Rejection of Claims 45, 58, 67 and 75 Under 35 U.S.C. §112, second paragraph

The Examiner has rejected claims 45, 58, 67 and 75 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has amended claim 45 to address the issue raised. In particular, the Examiner requires an additional step to be added to correct alleged omission of essential elements of the invention. To address this issue, claim 45 now positively recites “performing an accounting process, including reconciling...”. Thus, claim 45 is similar to claims 58, 67 and 75 with respect to the requirement of accounting processes, including the reconciling step. The Examiner suggests adding the step of transferring funds based on the reconciliation. However, the more generic “performing accounting processes” is believed to address the issue raised, and is consistent with the other independent claims.

On the top of page 4 in the Official Action, it is stated that it is “... unclear how the two records are going to be executed” in claims 47(sic), 67 and 75.” (Applicant presumes that this reference to claim 47 is a typographical error, which should be claim 58, because claim 58 is like claims 67 and 75.) Claims 58, 67 and 75 state that the second time stamped record is processed “in response to one of the first time stamped records with a matching account identifier, to verify that the presented transaction signature matches the transaction signature associated with said one of said first records, the actual transaction amount matches the predicted transaction amount associated with said one of said first time-stamped records, the actual transaction type matches the transaction type associated with said one of said first records and the actual transaction time is within the predicted transaction time out interval.” Claim 58, lines 43-51; claim 67, lines 44-52; and claim 75, lines 43-51. So the records are not “executed” but rather they are processed by a computer program being executed in support of the authorization process recited in the claim, to verify the matching parameters. Accordingly, Applicant submits that the manner in which the time stamped records are used is clear, and reconsideration is requested.

With respect to claim 75, the Official Action suggests that line 3 should refer to “said machine readable medium.” The claim does use the phrase suggested. Thus reconsideration of this basis for rejection is requested.

Also with respect to claim 75, the Official Action suggests that line 27 should state “a transaction signature.” However, the claim uses the definite article “the” intentionally to refer to the antecedent at line 22. Accordingly, reconsideration of this ground of rejection is requested.

Accordingly, reconsideration of the rejection of claims 45, 58, 67 and 75 as amended is respectfully requested.

Rejection of Claims 46-53, 55, 59-66, 68-74 and 76-82

The Examiner has rejected claims 46-53, 55, 59-66, 68-74 and 76-82 because they are dependent upon rejected base claims. Applicant submits that such claims are allowable in light of the clarifying amendments to their respective base claims.

CONCLUSION

It is respectfully submitted that this application is now in condition for allowance, and such action is requested.

The Commissioner is hereby authorized to charge any fee determined to be due in connection with this communication, or credit any overpayment, to our Deposit Account No. 50-0869 (AIDT 1000-1).

Respectfully submitted,

/mark haynes/

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